

PATENT  
ATTORNEY DOCKET NO.: 045636-5082

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Bernard MAILLIERE *et al.*

U.S. Application No. 10/522,992

Date of National Stage Entry: February 2, 2005

Group Art Unit: To Be Determined

Based on Int'l Appln. PCT/FR2003/002446

Examiner: To Be Determined

International Filing Date: August 1, 2003

For: MIXTURE OF PEPTIDES FROM C AND NS3  
PROTEINS OF THE HEPATITIS C VIRUS  
AND APPLICATIONS THEREOF

**Mail Stop PCT**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed August 8, 2005. The due date for which was October 8, 2005. Since October 8, 2005 fell on a Saturday, the next business day rule applies, making the due date October 10, 2005. Since October 10, 2005 was a federal holiday (Columbus Day), the due date for responding is now October 11, 2005. A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## 4. Fee Calculation

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	39	minus	20	19	\$50.00 each=	950.00
Independent Claims	3	minus	3	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	200.00
Missing Parts Surcharge						130.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						\$1,080.00

## 5. Fee Payment

Total Fee Due \$1,080.00

- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

## 6. Additional papers enclosed.

- ☒ Preliminary Amendment

10/14/2005 HKAYPAGH 00000139 500310 10522992

01 FC:1615 950.00 DA  
02 FC:1617 130.00 DA

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: October 11, 2005  
MORGAN, LEWIS & BOCKIUS LLP  
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*Elizabeth C. Weimar*  
Elizabeth C. Weimar  
Reg. No. 44,478

REC'D PCT/PTO 11 OCT 2005  
Eileen



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/522,992	FIRST NAMED APPLICANT Bernard Maillere	ATTY. DOCKET NO. 045636-5082
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INTERNATIONAL APPLICATION NO. PCT/FR03/02446
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I.A. FILING DATE 08/01/2003	PRIORITY DATE 08/02/2002
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09629  
MORGAN LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

CONFIRMATION NO. 4638

## 371 FORMALITIES LETTER



\*OC000000016620940\*

Date Mailed: 08/08/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/02/2005
- English Translation of the IA filed on 02/02/2005
- Copy of the International Search Report filed on 02/02/2005
- Copy of IPE Report filed on 02/02/2005
- Preliminary Amendments filed on 02/02/2005
- Information Disclosure Statements filed on 02/02/2005
- U.S. Basic National Fees filed on 02/02/2005
- Priority Documents filed on 02/02/2005

Docketed 4/15/05 Attorney ECW/ECW/SEZ  
Case 45636-5082  
Due Date October 8, 2005  
Action Missing Requirements  
By GD CR

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$750** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$880 for a Large Entity:

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 750
  - \$750 for 15 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,992	PCT/FR03/02446	045636-5082